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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS  
COMMISSION

In the Matter of	)	
	)	
UACC Midwest, Inc. d/b/a	)	CC Docket No. 95-94
United Artists Cable Mississippi	)	
Gulf Coast; et al.	)	
	)	
v.	)	PA 91-0005 through
	)	PA 91-0009
	)	
South Central Bell Telephone	)	
Company	)	DOCKET FILE COPY ORIGINAL

To: The Honorable Joeseeph Chachkin, Administrative Law Judge

MOTION TO ENLARGE ISSUES

BellSouth Telecommunications, Inc., d/b/a South Central Telephone Company, by counsel, pursuant to 47 C.F.R. § 1.229(a) respectfully moves to enlarge the issues designated for hearing in this matter as follows:

- (1) Whether the benefits component of the rents and benefits account, being directly assignable to maintenance expenses associated with pole lines, is properly included in the maintenance component of the carrying charge formula?
- (2) Whether, notwithstanding the data submitted by South Central Bell in response to the Bureau's Hearing Designation Order, South Central Bell may be permitted to introduce evidence to show that its rates as calculated during the period covered by the Complaint fall well below the statutory maximum, such evidence being in the form of alternative rate calculations?

For each issue, South Central would show the following:

- (1) The benefits component of the rents and benefits account, being directly assignable to maintenance expenses associated with pole lines,

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is properly included in the maintenance component of the carrying charge formula.

In its Response to the complaint in this cause, South Central Bell proposed that should the Commission determine that rents are properly excluded from the maintenance numerator, they should be included in the administrative numerator. In fact, South Central Bell has formulated its rates since 1993 using this allocation. In the Hearing Designation Order the Bureau agreed with South Central Bell, and so assigned the rents component. However, the Bureau erroneously included the "benefits" component of the "rents & benefits" account in the administrative numerator, when in fact these benefits reflect the social security and pension benefits of South Central Bell Employees who are directly engaged in pole line activities, and thus properly belong in the maintenance numerator.

- (2) Notwithstanding the data submitted by South Central Bell in response to the Bureau's Hearing Designation Order, South Central Bell should be permitted to introduce evidence to show that its rates as calculated during the period covered by the Complaint fall well below the statutory maximum, such evidence being in the form of alternative rate calculations.

As demonstrated in the Response to Data Request filed by South Central Bell in this cause on even date, South Central Bell has elected to exclude from its rate calculations in Mississippi for the period covered by the complaints elements that are properly included. These include, but are not limited to, including general support

assets in the total plant in service denominator, excluding all of Part 32 Accounts 6534 Plant Operations Administrative Expense and Part 32 Account 6121 rents, and electing to use the Commission's rebuttable presumption of 13.5 feet of usable space which far exceeds actual usable space figures and yields and artificially low rate. South Central Bell should be allowed to present alternative rate calculations (such as that set forth in South Central Bell's Response) in order to demonstrate that the rates assessed complainants during the period covered by the complaint were, because of South Central Bell's choices in computing them, well below the statutory maximum.

RESPECTFULLY SUBMITTED,

BELLSOUTH TELECOMMUNICATIONS,  
INC., d/b/a/ SOUTH CENTRAL  
BELL TELEPHONE COMPANY

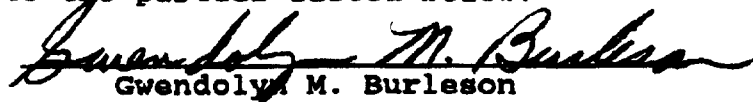
A handwritten signature in black ink, appearing to read "M. Robert Sutherland", is written over a horizontal line.

M. Robert Sutherland  
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Date: July 17, 1995

CERTIFICATE OF SERVICE

I hereby certify that I have this 17th day of July, 1995 served all parties to this action with a copy of the foregoing **MOTION TO ENLARGE ISSUES** by placing a true and correct copy of the same in the United States Mail, postage prepaid, addressed to the parties listed below.

  
Gwendolyn M. Burleson

**Honorable Joseph Chachkin  
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Federal Communications Commission  
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